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Attorney for the Creditor  
HERMAN MENEZES, LLC

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

\* \* \*

IN RE:

ALVIN A. BRESCIANI,

Debtor.

HERMAN MENEZES, LLC

Plaintiff,

Vs.

ALVIN A. BRESCIANI,

Defendant.

Case No. 3:22-bk-50266

Adv. Case No: 22-05012-nmc

Chapter 7

Hearing Date: April 6, 2023

Hearing Time: 9:30 AM

**REQUEST FOR CLERK TO  
ENTER DEFAULT UNDER  
FED. R. BANKR. P. 7055**

**TO THE COURT AND ALL PARTIES IN INTEREST:**

Plaintiff filed the complaint in this adversary proceeding on August 29, 2022 [ECF#1]. On August 29, 2022, the Court issued a Summons and Notice of

1 Scheduling Conference in Adversary Proceeding [ECF# 3]. Plaintiff filed and  
2 served an Amended Complaint on September 2, 2022 [ECF#7]. The summons  
3 and complaint were served on Defendant by Personal Service Mail Service on  
4 September 2, 2021 [See ECF #6].  
5

6 The time for filing an answer or other responsive pleading expired on  
7 September 28, 2022. The Clerk entered a default against the Defendant on  
8 November 4, 2022. On a motion from the Defendant, the Court set aside the  
9 default and ordered the Defendant to file and answer to the amended complaint  
10 by Monday, March 13, 2023 [See ECF #30].  
11

12 No answer or other responsive pleading by Defendant has been filed or  
13 served . See Declaration attached hereto.  
14

15 WHEREFORE, Plaintiff requests that the clerk of the court enter a default  
16 against this Defendant.  
17

18 **DATED** this Mar 15, 2023

19 By: /s/ Luke Busby, Esq.  
20 LUKE A. BUSBY, ESQ.  
21 Nevada Bar No. 10319  
22 316 California Ave.  
23 Reno, Nevada 89509  
24 775-453-0112  
25 luke@lukeandrewbusbyltd.com  
26  
27  
28

Exhibit List

1. Declaration of Luke Busby, Esq.
2. Form B2600

**CERTIFICATE OF SERVICE**

I certify that on the date shown below, I caused service to be completed of a true and correct copy of the foregoing **REQUEST FOR CLERK TO ENTER DEFAULT UNDER FED. R. BANKR. P. 7055** by:

\_\_\_\_\_ personally delivering;

\_\_\_\_\_ delivery via Reno/Carson Messenger Service;

\_\_\_\_\_ sending via Federal Express (or other overnight delivery service);

☒ x \_\_\_\_\_ depositing for mailing in the U.S. mail, with sufficient postage affixed thereto;  
or,

\_\_\_\_\_ delivery via electronic means (fax, eflex, NEF, etc.) to:

Alvin Bresciani  
6086 White Water Way  
Reno, NV 89523

By: /s/ Luke Busby, Esq. \_\_\_\_\_  
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Attorney for the Plaintiff

Mar 15, 2023